

ADVISORY OPINION 95-014

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121.135(4).

August 26, 1995

Hon. Thomas J. Schulz
Kentucky State District Council of Carpenters
632 Comanche Trail
Frankfort, Kentucky 40601

Dear Mr. Schulz:

This is in response to your July 27, 1995, letter in which you request an advisory opinion regarding whether the Kentucky State District Council of Carpenters AFL-CIO ("Council of Carpenters") may be classified as a contributing organization as defined by KRS 121.015(4). You state that the Council of Carpenters primarily serves as an employee representative for employees engaged in collective bargaining with employers. Further, it engages in political activity through contributions to candidates from funds derived solely from membership dues paid by members of the local unions affiliated with the Council of Carpenters.

KRS 121.015(4) defines a contributing organization as a "group which merely contributes to candidates, campaign committees, or executive committees from time to time from funds derived solely from within the group, and which does not solicit or receive funds from sources outside the group itself." (Emphasis added)

The by-laws of the Council of Carpenters indicate that the following Local Unions are affiliated with your organization: Local #'s 64, 357, 472, 549, 698, 1650, 2501, 3223, and Millwright Local 1031 in conformity with the provisions of the Constitution and Laws of the United Brotherhood of Carpenters and Joiners of America. Therefore, the above-listed entities, including the national organization, would be considered one entity pursuant to KRS 121.150(7) which provides that "[p]ermanent committees or contributing organizations affiliated by bylaw structure or registration, as determined by the Registry of Election Finance, shall be considered as one (1) committee for purposes of applying the contribution limits of subsection (6) of this section."

Based upon the facts contained in your letter, the contents of your by-laws, and provided that none of the above-listed entities which are affiliated with your organization through by-laws have previously contributed the maximum amount to a candidate permitted by KRS 121.150(6), the Council of Carpenters may contribute in accordance with KRS 121.015(4).

Sincerely,

Rosemary F. Center
General Counsel

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